

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2019 SEP 18 PM 3:32

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESUS NOEL GARFIO, and
JENNA LYNN MARTINEZ,

Defendants.

8:19CR 296

INDICTMENT
21 U.S.C. § 841(a)(1) & (b)(1)
21 U.S.C. § 853

The Grand Jury Charges:

COUNT I

On or about July 16, 2019, in the District of Nebraska, JESUS NOEL GARFIO, and JENNA LYNN MARTINEZ, defendants herein, did knowingly and intentionally possess with intent to distribute 5 grams or more of methamphetamine (actual), its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 841(b)(1).

COUNT II

On or about July 16, 2019, in the District of Nebraska, JESUS NOEL GARFIO, and JENNA LYNN MARTINEZ, defendants herein, did knowingly and intentionally possess with intent to distribute a mixture or substance containing heroin, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 841(b)(1).

FORFEITURE ALLEGATION

1. The allegations contained in Counts I and II of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. Pursuant to Title 21, United States Code, Section 853, upon conviction of an offense in violation of Title 21, United States Code, Section 841(a)(1), possess with intent to distribute methamphetamine and heroin, Defendants JESUS NOEL GARFIO, and JENNA LYNN MARTINEZ shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense. The property to be forfeited includes, but is not limited to:

- a. United States currency seized from Defendants JESUS NOEL GARFIO, and JENNA LYNN MARTINEZ, on or about July 16, 2019.

3. If any of the property described above, as a result of any act or omission of Defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

1. the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).


2. In violation of Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

The United States of America requests that trial of this case be held at Omaha, Nebraska, pursuant to the rules of this Court.

(for)


KIMBERLY C. BUNJER
Assistant United States Attorney